

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

**FILED**  
IN COURT  
CHARLOTTE, N. C.  
**MAR 27 2007**

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
v. )  
 )  
JUSTIN TRIPP )  
 )  
Defendant. )

CRIMINAL NO. 3:07CR3-W

**CONSENT ORDER AND JUDGMENT  
OF FORFEITURE**

BASED UPON the defendant's plea of guilty, and finding that there is a substantial nexus between the property listed below and the offense(s) to which the defendant has pled guilty and that the defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. the following property is forfeited to the United States pursuant to 18 U.S.C. §924(d), 18 U.S.C. §982, 18 U.S.C. §3665, 21 U.S.C. §853, 26 U.S.C. §5872, and/or 28 U.S.C. §2461(c):

- A. a Smith & Wesson .357 revolver, Norinco SKS semi-automatic assault rifle, Norinco MAK-90 semi-automatic assault rifle, short-barreled Mossberg 12-gauge shotgun, and Walther PPK/S handgun, and ammunition, to wit: numerous rounds of .357 caliber, .380 caliber, 12-gauge, .556 caliber, 7.62x39 mm, and any other firearms and ammunition seized on or about April 29, 2006, from a residence and vehicle located at or near 8319 Paces Oaks Boulevard, Apartment 822, Charlotte, North Carolina;
- B. a Walther PPK handgun and a 12-gauge shotgun, and ammunition, to wit: numerous rounds of .22 caliber, .32. caliber, .40 caliber, .223 caliber, .380 caliber, 12-gauge, and any other firearms and ammunition seized on or about January 4, 2007, from a residence and vehicle located at or near 9808 Bonita Lane, Apt 214, Charlotte, North Carolina; and
- C. an assault rifle obtained pursuant to a non-attribution agreement between the parties dated February 8, 2007.

2. the United States Marshal and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above-described tangible property;

3. upon the seizure of any property to satisfy all or part of the judgment, the United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the seized property, and shall publish notice of this forfeiture as required by law;

4. any person, other than the defendant, asserting any legal interest in the property may,

within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;

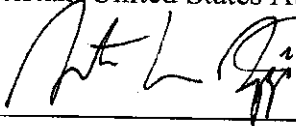
5. following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. §924(d), 18 U.S.C. §982, 21 U.S.C. §853, 26 U.S.C. §5872, and/or 28 U.S.C. §2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant.

GRETCHEN C. F. SHAPPERT  
UNITED STATES ATTORNEY



Steven R. Kaufman  
Assistant United States Attorney

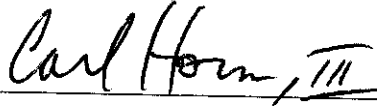


Justin K. Tripp  
Defendant



Christopher C. Fialko  
Attorney for Defendant

Signed this the 27<sup>th</sup> day of March 2007.



UNITED STATES MAGISTRATE JUDGE